

13281 US PTO
022604

Case Docket Number: 49480-053

Customer Number: 20277

**UTILITY PATENT APPLICATION
UNDER 37 CFR 1.53(b)**

Mail Stop Utility
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Transmitted herewith for filing is the patent application of:

**INVENTOR: David P. RAMER, Jack C. RAINS, Matthew BROWN
FOR: CONSTRUCTIVE OCCLUSION WITH A TRANSMISSIVE COMPONENT**

Enclosed are:

- 36 pages of specification, claims, abstract.
 Declaration and Power of Attorney.
 Priority Claimed.
 Certified copy of _____
 7 sheets of formal drawing.
 An assignment of the invention to _____
and the assignment recordation fee.
 An associate power of attorney.
 A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
 Information Disclosure Statement, Form PTO-1449 and reference.
 Return Receipt Postcard
 Applicant is entitled to claim Small Entity status.
 Request for Non-Publication under 35 U.S.C. 122(b)(2)(B)(i)

The filing fee has been calculated as shown below:

	NO. OF CLAIMS	EXTRA CLAIMS	RATE	AMOUNT
Total Claims	28	-20	\$18.00	\$144.00
Independent Claims	4	-3	\$86.00	\$86.00
Multiple Dependent Claim(s)				\$0.00
Basic Fee				\$770.00
Total of Above Calculations				\$1,000.00
Less ½ for Small Entity				\$0.00
Assignment & Recording Fee				\$0.00
Total Fee				\$1,000.00

WDC99 884910-1.049480.0053

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- Please charge my Deposit Account No. 500417 in the amount of \$1,000.00. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 500417. A duplicate copy is enclosed.
 - Any additional filing fees required under 37 CFR 1.16.
- The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 500417. A duplicate copy of this sheet is enclosed.
 - Any patent application processing fees under 37 CFR 1.17.
 - Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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Date: February 26, 2004

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REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	David P. RAMER et al.
	Title	CONSTRUCTIVE OCCLUSION WITH A TRANSMISSIVE COMPONENT
	Atty Docket Number	49480-053

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 26, 2004

Date



Signature

Keith E. George, 34,111

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.